

REMARKS

Claims 1-16 are all the claims pending in the application. By this Amendment, Applicant amends claims 1, 3, and 4.

Claim Rejections - 35 U.S.C. § 102

Claims 1-7 and 9-16 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Walker et al. (U.S. Patent 5,779,549, hereinafter “Walker”). Applicant respectfully traverses the rejection.

Claims 1, 3, and 4

Claim 1 recites, *inter alia*, “virtual start time deciding means for deciding virtual start times for a plurality of matches, the virtual start times comprising an artificial time in a virtual game space.”

However, Walker neither teaches nor suggests this claimed feature. This is because Walker does not disclose a match beginning at a time that is “virtual.” Rather, Walker is directed to a distributed electronic tournament in which players compete in a “virtual tournament at a given time.” See Office Action, p. 7; *see also*, Walker, col. 1, ll. 23-35, 56-60. In one example, Walker discloses that sessions of a tournament start at 1:00 p.m. (*see* Walker, col. 9, ll. 12-14), however there is no teaching or suggestion that the start time is “an artificial time in a virtual game space.” Instead, as would be understood by a person having ordinary skill in the art, the start time would be an actual, real-world time.

Therefore, Walker fails to teach or suggest the “virtual start time deciding means.”

Claim 1 also recites, *inter alia*, “related match selection means for selecting at least one match, from the plurality of matches, taking place at least partially at the same virtual time as a main match a player's team is taking part in as one or more matches related to the main match based on virtual start times for each match decided by the virtual start time deciding means, the at least one selected match being different from the main match.”

However, Walker also neither teaches nor suggests this claimed feature. This is because Walker does not disclose identifying a player pairing (match), taking place at the same as a main player's pairing, and which is also related to the main player's pairing, “based on virtual start times” of the matches. Rather, Walker merely discloses providing player pairings for each round of a tournament, but there is no teaching or suggestion of selecting a pairing taking place at a same time as a main pairing based on start times of the matches. At best, Walker simply pairs opponents according to the format (*i.e.*, single elimination, non-elimination, etc.) of the tournament. That is to say, the relatedness of the matches in Walker is based upon the format of the tournament. In contrast, the relatedness of the matches recited in claim 1 is controlled “based on the virtual start times.”

To the extent the Examiner's position is based on the assertion that “each match [in Walker] is related to one another because they cumulatively decide which and in what manner players will participate in the next round,” and this allegedly teaches this claimed feature (*see* Office Action, p. 7), even if the matches in Walker are somehow cumulatively related, the matches in Walker are still not selected as being related to each other “based on virtual start times.” At best, the matches in Walker are simply determined based on tournament structure.

Therefore, Walker fails to teach or suggest the “related match selection means.”

Additionally, claim 1 recites, *inter alia*, “related match simulation means for simulating the one or more related matches, the simulating of the one or more related matches performed without human player input.” However, Walker clearly neither teaches nor suggests this claimed feature. This is because Walker does not disclose simulating matches “without human player input.” Instead, Walker clearly discloses that matches require human input (*see e.g.*, Walker, col. 6, ll. 1-3, “a player, who communicates with the central controller via an input/output device”).

Therefore, Walker fails to teach or suggest the “related match simulation means.”

Further, claim 1 recites, *inter alia*, “event content output means for outputting, during the executing of the main match, event content corresponding to the virtual event time if it is determined by the event time arrival monitoring means that the virtual event time has arrived during execution of the main match.”

However, Walker neither teaches nor suggests this claimed feature. This is because Walker does not disclose “outputting, during the execution of the main match, event content corresponding to the virtual event time.” There is no teaching or suggestion that an event, occurring in another match, is output to the player in a main match during the player’s own main match. Even if the outcome of another match could somehow be interpreted as an event, Walker does not disclose informing the player of the outcome of the other match while the player plays his own match.

Therefore, Walker fails to teach or suggest the “event content output means.”

Last, claim 1 recites, *inter alia*, “the related match simulation means simulates the one or more related matches prior to the main match executing means executing the main match.”

However, Walker neither teaches nor suggests this claimed feature, in combination with the various features of claim 1. This is because Walker does not disclose that related matches, which take place at a same time as a main match, are simulated prior to the execution of the main match. Rather, as discussed above, Walker discloses that sessions or rounds of a tournament take place at substantially a same time (*see* Walker, col. 9, ll. 12-14, 25-37) and subsequent rounds only begin after the previous round is completed “to ensure fairness of competition” (*see* Walker, col. 11, ll. 50-60). There is no teaching or suggestion that related matches, which take place at a same virtual time as the main match (“taking place at least partially at the same virtual time as a main match”), are simulated prior to execution of the main match (“simulates the one or more related matches prior to the main match executing means executing the main match”), as recited in claim 1.

Therefore, Walker fails to teach or suggest “wherein the related match simulation means simulates the one or more related matches prior to the main match executing means executing the main match.”

As a result, Walker fails to teach or suggest all the features in claim 1, alone and in combination with each other, and hence, claim 1 and its dependent claims would not have been anticipated by Walker for at least these reasons. To the extent independent claims 3 and 4 recite features similar to those discussed above regarding claim 1, claims 3, 4, and their dependent

claims also would not have been anticipated by Walker for at least reasons analogous to those discussed above regarding claim 1.

Claim Rejections - 35 U.S.C. § 103

Claim 8 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Walker. Applicant respectfully traverses the rejection.

Claim 8 depends on claim 1 and incorporates all the features of claim 1. Even if Walker could have been modified, as the Examiner alleges, the modified Walker would still not teach or suggest all the features in claim 1, and hence claim 8, as discussed above. Accordingly, claim 8 would not have been rendered unpatentable by Walker for at least these reasons.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No.: 10/670,573

Attorney Docket No.: Q77480

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: September 16, 2009

Respectfully submitted,

/ Christopher J. Bezak /

Christopher J. Bezak
Registration No. 63,241